

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TERRENCE ZEHRRER, Derivatively on Behalf of HARBOR INTERNATIONAL FUND,	)	
	)	
Plaintiff,	)	
	)	No. 14 C 789
v.	)	
	)	
HARBOR CAPITAL ADVISORS, INC.,	)	Judge Joan H. Lefkow
	)	
Defendant,	)	
-and-	)	
	)	
HARBOR INTERNATIONAL FUND,	)	
	)	
Nominal Defendant.	)	
RUTH TUMPOWSKY,	)	
	)	
Plaintiff,	)	
	)	No. 14 C 7210
v.	)	
	)	
HARBOR CAPITAL ADVISORS, INC.,	)	Judge Joan H. Lefkow
	)	
Defendant,	)	

**PLAINTIFF RUTH TUMPOWSKY'S MOTION TO CONSOLIDATE  
PURSUANT TO FED R. CIV. P. 42(a)**

Plaintiff, Ruth Tumpowsky, moves pursuant to Fed. R. Civ. P. 42(a) to consolidate her action (“*Tumpowsky*”) with *Zeher v. Harbor Capital Advisors, Inc.*, 14 C 789 (“*Zeher*”) and in support states:

1. Plaintiff filed her action on September 14, 2014, and moved this Court for a finding that *Tumpowsky* is related to *Zehrer*.

2. On November 4, 2014, this Court granted Plaintiff's motion, and on November 5, 2014, the Executive Committee reassigned *Tumpowsky* to this Court.
3. Plaintiff now moves pursuant Fed. R. Civ. P. 42(a) to consolidate *Tumpowsky* for all purposes with *Zehrer*.

**Wherefore**, Plaintiff, Ruth Tumpowsky, requests that this Court order that case number 14 C 7210 be consolidated with *Zehrer*, 14 C 789 pursuant to Fed. R. Civ. P. 42(a).

Dated: November 5, 2014

Respectfully submitted,

By: /s/ Marvin A. Miller  
Marvin A. Miller  
**MILLER LAW LLC**  
115 S. LaSalle Street  
Suite 2910  
Chicago, IL 60603  
Tel: (312) 332-2400

Robin F. Zwerling  
Jeffrey C. Zwerling  
Susan Salvetti  
Andrew W. Robertson  
Ana M. Cabassa-Torres  
**ZWERLING, SCHACHTER & ZWERLING, LLP**  
41 Madison Avenue  
New York, NY 10010  
Tel: (212) 223-3900  
Fax: (212) 371-5969

Robert L. Lakind  
Arnold C. Lakind  
**SZAFERMAN, LAKIND, BLUMSTEIN & BLADER, P.C.**  
101 Grovers Mill Road, Suite 200  
Lawrenceville, NJ 08648  
Tel: (609) 275-0400  
Fax: (609) 275-4511

*Attorneys for Ruth Tumpowsky*

**CERTIFICATE OF SERVICE BY ELECTRONIC MEANS**

I, Marvin A. Miller, one of the attorneys for plaintiff, hereby certify that on November 5, 2014, service of the foregoing ***Plaintiff Ruth Tumpowsky's Motion to Consolidate Pursuant to Fed R. Civ. P. 42(a)*** was accomplished pursuant to ECF as to Filing Users and I shall comply with LR 5.5 as to any party who is not a Filing User or represented by a Filing User.

/s/Marvin A. Miller

Marvin A. Miller